

File No. 120998

Committee Item No. 6

Board Item No. 23

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: City Operations

Date 2/7/13

Board of Supervisors Meeting

Date FEBRUARY 26, 2013

Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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Completed by: Derek Evans Date 2/4/13
 Completed by: A. Ausberry Date 2/20/13

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document can be found in the file.

1 [Liquor License - 310-310 Geary Street]

2
3 **Resolution determining that the issuance of a Type 42 on-sale beer and wine**
4 **public premises license to Lynne Carmichael for Eno St. Francis, LLC, dba Eno,**
5 **located at 310-320 Geary Street (District 3), will serve the public convenience and**
6 **necessity of the City and County of San Francisco, in accordance with Business**
7 **and Professions Code, Section 23958.4, with conditions.**

8
9 WHEREAS, Lynn Carmichael is seeking the issuance of a Type 42 on-sale beer
10 and wine license for Eno, located at 310-320 Geary Street; and,

11 WHEREAS, The Planning Department has verified that the area is properly
12 zoned and recommends approval; and,

13 WHEREAS, The Police Department has filed zero (0) protests with the
14 Department of Alcoholic Beverage Control under California Business and Professions
15 Code, Section 24013, and recommends that the Department of Alcoholic Beverage
16 Control issue the liquor license with conditions; and

17 WHEREAS, The conditions recommended by the Police Department are the
18 following: 1) Sales, service, and consumption of alcoholic beverages shall be permitted
19 only between the hours of 10:00 a.m. and 12:00 a.m. midnight daily; 2) No noise shall
20 be audible beyond the area under control of the licensee(s) as defined on the ABC-257;
21 and 3) The petitioner shall utilize electronic surveillance and recording equipment that is
22 able to view the outside of the premises, including all entrances and exits, and that is
23 actively monitored and recorded. This electronic surveillance shall be utilized during
24 operating hours. Said electronic recording shall be kept at least 30 days and shall be
25

1 made available to the Department and Police Department upon demand; now,
2 therefore, be it

3 RESOLVED, That in accordance with California Business and Professions Code,
4 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
5 hereby determines for the foregoing reasons that the issuance of a Type 42 on-sale
6 beer and wine license to Lynne Carmichael for Eno St. Francis, LLC, dba Eno, located
7 at 310-320 Geary Street, will serve the public convenience or necessity of the City and
8 County of San Francisco; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
10 San Francisco hereby endorses and adopts the recommendations of the Police
11 Department listed above, and recommends that the Department of Alcoholic Beverage
12 Control issue the license with those conditions.

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San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience and
Necessity Recommendation*

To: The San Francisco Board of Supervisors' Committee on City
Operations & Neighborhood Services

From: Inspector Nelly Gordon *WJG*
ABC Liaison Unit (ALU) 553-1049

Date: January 16, 2013

Subject: P.C.N. Investigation Regarding:

DBA: Eno
310-320 Geary Street
Lynn Carmichael
415/362-1215

Eno St. Francis, LLC has filed an application with the California Department of Alcoholic Beverage Control (ABC) seeking a Type 42 (On-Sale Beer and Wine Public Premises) license for 310-320 Geary Street (located on the North side of Geary street between Powell and Mason).

It should be noted that during the application process, notification date for the 500' mailer was on September 9, 2012. The Notice to the Public was posted on September 21, 2012.

For the purposes of this hearing, the California Department of Alcoholic Beverage Control (ABC) seeks a determination from the Board of Supervisors as to the approval or denial of this license.

Police Calls for Service: From July 2011 to July 2012

10 Police calls

Police Reports: From July 2011 to July 2012

0

San Francisco Plot Information:

This premise is located in Plot 166

The High Crime area is defined as 215 or more police reports in a plot.

This plot had 372 police incidents recorded for 2011.

Applicant premises is located in a "High Crime" area.

State Census Tract Information:

This premise is located in Census Tract 0123.02

Population for this tract is: 3,073

On-sale license authorized by census tract: 10

Active on-sale licenses: 70

Off-sale licenses authorized by census tract: 3

Active off-sale licenses: 16

Applicant premise is currently located in an "undue concentration" area.

Letters of Protest:

0 recorded with the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

1 recorded with the California Department of Alcoholic Beverage Control, (ABC).

Departmental Recommendation:

No opposition from Central Police Station if agrees with recommended conditions

ALU recommends approval. The following conditions have been recommended to the California Department of Alcoholic Beverage Control, (ABC):

1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. and 12:00a.m. (Midnight) daily.
2. No noise shall be audible beyond the area under control of the licensee(s) as defined on the ABC-257.

3. The petitioner shall utilize electronic surveillance and recording equipment that is able to view the outside of the premises, including all entrances and exits, and that is actively monitored and recorded. This electronic surveillance shall be utilized during operating hours. Said electronic recording shall be kept at least 30 days and shall be made available to the Department and Police Department upon demand.

Note: On 1/17/2013 Karen Bodishbaugh was contacted on behalf of the applicant who agrees with recommended conditions.

Thank you



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 10/1/2012*

| |
|---|
| License Information |
| License Number: 526009 |
| Primary Owner: ENO ST. FRANCIS, LLC |
| ABC Office of Application: 24 - SAN FRANCISCO |
| Business Name |
| Doing Business As: ENO |
| Business Address |
| Address: 310-320 GEARY ST Census Tract: 0123.02 |
| City: SAN FRANCISCO County: SAN FRANCISCO |
| State: CA Zip Code: 94102 |
| Licensee Information |
| Licensee: ENO ST. FRANCIS, LLC |
| Company Information |
| Officer: BRIGGS, STEPHEN MICHAEL (MANAGER) |
| Officer: HASSBERGER, ERIC D (MANAGER) |
| Officer: MCALLISTER, ROBERT THOMAS (MANAGER) |
| Stock Holder: SHC DTRS INC |
| License Types |
| 1) License Type: 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES |
| License Type Status: PENDING |
| Status Date: 20-SEP-2012 Term: 12 Month(s) |
| Original Issue Date: Expiration Date: |
| Master: Y Duplicate: 0 Fee Code: P40 |
| License Type was Transferred On: FROM: |
| Current Disciplinary Action |
| ... No Active Disciplinary Action found ... |
| Disciplinary History |
| ... No Disciplinary History found ... |
| Hold Information |
| Hold Date: 20-SEP-2012 Type: FORM 220 |
| Escrow |
| ... No Escrow found ... |

--- End of Report ---

For a definition of codes, view our [glossary](#).

export To  **New!**

Records 1 through 4 of 4


| Call No | Report No | Received Date | Received Time | Priority | Call Type | Unit ID | Disposition | Location |
|------------------|-----------|---------------|---------------|----------|-----------|---------|-------------|--------------|
| <u>122082267</u> | | 07/26/2012 | 16:31:23 | A | 809 | 3A13D | HAN | 320 GEARY ST |
| <u>122082253</u> | | 07/26/2012 | 16:31:04 | C | 909 | 4T5H | DUP | 320 GEARY ST |
| <u>121563300</u> | | 06/04/2012 | 22:47:27 | C | 585 | 3J12E | CIT | 320 GEARY ST |
| <u>120670180</u> | | 03/07/2012 | 01:49:38 | C | 585 | 3A91 | CIT | 320 GEARY ST |

End of document

export To  **New!**Records **1** through **6** of **6**

| Call No | Report No | Received Date | Received Time | Priority | Call Type | Unit ID | Disposition | Location |
|------------------|-----------|---------------|---------------|----------|-----------|---------|-------------|--------------|
| <u>113572570</u> | | 12/23/2011 | 18:54:54 | I | 212 | 3A2D | ND | 320 GEARY ST |
| <u>112533423</u> | | 09/10/2011 | 22:06:26 | C | 917 | 3A12E | ADV | 320 GEARY ST |
| <u>112441860</u> | | 09/01/2011 | 13:48:42 | C | 585 | 3A2B | ADV | 320 GEARY ST |
| <u>112362565</u> | | 08/24/2011 | 16:43:28 | C | 585 | 3A2B | ADV | 320 GEARY ST |
| <u>112301568</u> | | 08/18/2011 | 12:46:41 | C | 585 | 3A11C | CIT | 320 GEARY ST |
| <u>112251166</u> | | 08/13/2011 | 10:50:39 | C | 585 | 3J12A | ADV | 320 GEARY ST |

End of document

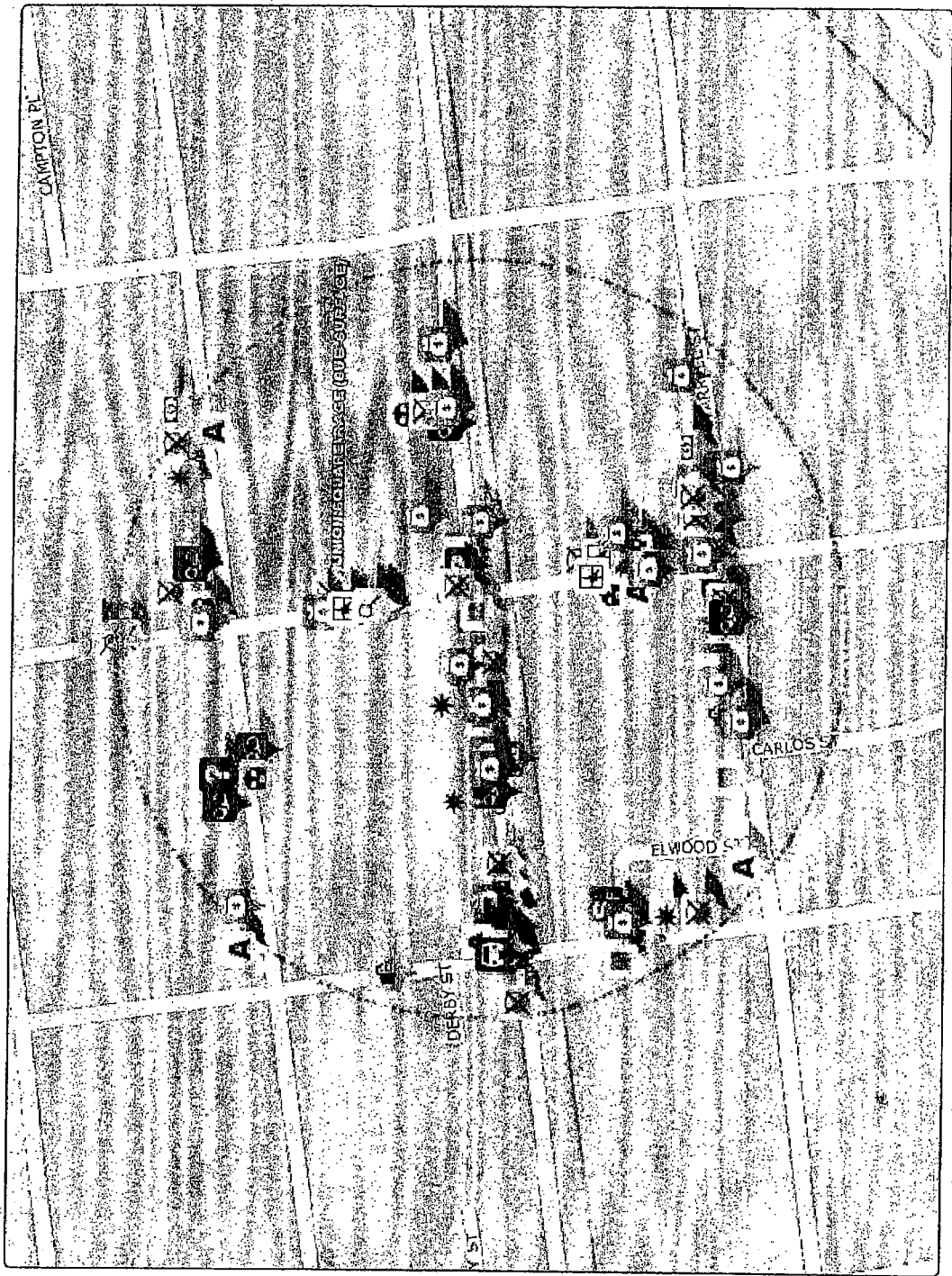
| | | | |
|--|--------------------|---------------|---------------|
| Call No | Agency | Call Type | Disposition |
| Report No | Jurisdiction | Dispatch Area | # Prior Calls |
| Unit ID | Origin | Dept ID | Priority |
| Rep Area | Area | Sector | |
| Location 310 GEARY ST | | | Range |
| Apartment | City | | |
| Entry Oper | Dispatch Oper | | |
| From Date 04/01/2012 | To Date 10/01/2012 | From Time | To Time |
| Comments | | | |
|  Search | | | |

No hits found

| | | | |
|---------------------------------------|---------------|---------------|---------------|
| Call No | Agency | Call Type | Disposition |
| Report No | Jurisdiction | Dispatch Area | # Prior Calls |
| Unit ID | Origin | Dept ID | Priority |
| Rep Area | Area | Sector | |
| Location | 310 GEARY ST | | Range |
| Apartment | City | | |
| Entry Oper | Dispatch Oper | | |
| From Date | To Date | From Time | To Time |
| 10/01/2011 | 04/01/2012 | | |
| Comments | | | |
| <input type="button" value="Search"/> | | | |

No hits found

310 Geary St-500' radius
09/28/2011-09/26/2012



Map Legend

| | |
|--------|-----------------------------|
| [Icon] | Incidents (1316) |
| [Icon] | Larceny/Theft (499) |
| [Icon] | Non-Criminal (194) |
| [Icon] | Other Offenses (92) |
| [Icon] | Warrants (77) |
| [Icon] | Warrants (75) |
| [Icon] | Assault (75) |
| [Icon] | Burglary (69) |
| [Icon] | Fraud (56) |
| [Icon] | Drug/Narcotic (30) |
| [Icon] | Robbery (28) |
| [Icon] | Vandalism (21) |
| [Icon] | Trespassing (15) |
| [Icon] | Suspicious Occurrence (13) |
| [Icon] | Drunkenness (11) |
| [Icon] | Forgery/Counterfeiting (11) |
| [Icon] | Missing Person (10) |
| [Icon] | Embezzlement (9) |
| [Icon] | Disorderly Conduct (7) |
| [Icon] | Vehicle Theft (7) |
| [Icon] | Sex Offenses, Forcible |
| [Icon] | Weapon Laws (4) |
| [Icon] | Recovered Vehicle (2) |
| [Icon] | Stolen Property (1) |
| [Icon] | Secondary Codes (1) |
| [Icon] | D.U.I. (1) |
| [Icon] | Loitering (1) |
| [Icon] | Extortion (1) |

All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either expressed or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall San Francisco Police Department become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.

WARNING: This map does not meet the national map accuracy standards.

CENTRAL DISTRICT

Major Streets & Reporting



San Francisco Police Department
August 2002

San Francisco Planning Department
Office of Analysis and Information Systems
Miscellaneous Permit Application

Application Number: MB1201852

Business Name: ENO ST FRANCIS

Received Date: 10/10/2012

Reply Date: 10/17/2012

Agency: BofS

Type: OTHER

Address: 310 GEARY ST

Floor:

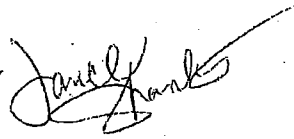
Size:

Block: 0307 Lot: 001 Zoning: C-3-R

Quadrant: NORTHEAST

Existing Use:

Planner: JANICE SHAMBRAY



Decision: APPROVED

Status Comment:

Conditions: PERMITTED PER SECTION 218 (B) OF THE PLANNING CODE.



October 9, 2012

By Hand Delivery

Angela Calvillo
Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102

Re: Request for Resolution of Public Convenience or Necessity
Eno St. Francis, LLC
Pending license #42-526009
310-320 Geary Street, San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT -9 AM 8:55
AK

Dear Ms. Calvillo,

Eno St. Francis, LLC, which will do business as "Eno," has applied to the Department of Alcoholic Beverage Control for a Type 42 On-Sale Beer and Wine Public Premises license at the address listed above. The premises are on the southern side of the St. Francis Hotel, accessible from Geary only, not through the hotel. Because the new wine bar is located in a census tract that has an "undue concentration" of on-sale licenses under Section 23958.4 of the Business and Professions Code and because the type 42 wine bar license is a "public premises" license for a venue which will not allow persons under 21 to enter, Eno is requesting a determination by the Board of Supervisors that public convenience or necessity will be served by issuance of the license.

Eno intends to offer international wines by the glass and in structured tasting flights, along with a broad selection of cheeses and chocolates. While the selections will certainly feature local wines, cheeses and chocolates, the focus will be on an international array of choices. The new wine bar will be designed specifically to meet the needs of urban residents, city shoppers and visitors to the city and the hotel from around the world. It is close to the theatre district and shopping and will offer a warm and unpretentious atmosphere in which patrons can indulge in glasses and tastes of wine and pairings of various cheeses and chocolate. It will be a convenient stop for persons finishing their day's activities or beginning their evenings. The intended hours of operation are from 10:00 AM until midnight so that patrons can stop by after theatre performances or other cultural events.

Eno has designed its premises to be more intimate and quiet than nearby bars and restaurants. Its focus on cheese and chocolate with its wines is unique to the Union Square area and is intended to appeal to a broad spectrum of patrons. There are other Eno wine bars in California and other states, and Eno expects to serve patrons who have experienced the wine, cheese and chocolate in these other venues and welcome the opportunity to visit Eno again in a new locale.

LIQUOR LICENSE REVIEW

TO: Planning Department
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: 558-6409

File: 120998

TO: Police Department
Inspector Kenneth Stocker
Inspector Julie Lazar
Fax No.: 553-1463

DATE: October 10, 2012

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: November 22, 2012, to Derek Evans,
Clerk, City Operations and Neighborhood Services Committee.
Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: Lynne Carmichael
and Business Name: Eno St. Francis (310-320 Geary Street)

Applicant Address: 260 California Street, Suite 1001
San Francisco, CA 94111
and Phone No. (415) 362-1215

PLANNING COMMENTS: Approval Denial

POLICE COMMENTS: Approval Denial

Angela Calvillo
Clerk of the Board
October 5, 2012
Page 2

For these reasons, we respectfully request that the Board of Supervisors make a finding that licensing Eno with a Type 42 on-sale beer and wine license will serve public convenience or necessity. If you have any questions about Eno's proposed operations, please do not hesitate to call me. I can be reached at (415) 362-1215.

Sincerely,

A handwritten signature in cursive script that reads "Lynne Carmichael".

Lynne Carmichael